

CFV Position Brief

Military Considerations Related to "Gay Rights"

Background

On May 20, 1992, Colorado Congresswoman Pat Schroeder introduced legislation intended to compel the Department of Defense (DOD) to change its current position and admit practicing homosexuals and lesbians into the armed services. This action is the latest attempt by "gay rights" activists and sympathetic supporters like the ACLU to overturn current DOD policy which disallows the presence of "gays" in the military.

With Schroeder's proposed legislation, the "gay rights" crusade against the DOD is now being waged on three fronts: in Congress, in the courts, and through direct pressure exerted on senior military leadership. Let it be said immediately that the United States military has played a critical role in protecting and expanding civil rights for qualified minorities. As a result, Americans of diverse ethnic origin now enjoy a greater level of economic and advancement opportunity in the military than ever before. In turn, both servicemen and the Armed Services themselves benefit from the dynamics of ethnic diversity in the ranks.

However, a new definition of "minority" has crept into the civil rights arena during the last two decades. Seven states and more than 90 cities, counties and municipalities in America now prohibit discrimination based on "sexual orientation." By so doing, these government entities grant protected class status to a group of individuals whose identity is derived **solely from their sexual behavior or desires** — primarily homosexuals. These laws, which grant extraordinary status to what amounts to, not a true ethnic minority, but a **special interest group**, may adversely affect the military services in several ways.

Before describing these adverse effects, consider several recent related events. First, several military-related court cases have won notoriety, among them the 1989 9th US Circuit Court of Appeals decision overturning the discharge of Army Sgt. Perry Watkins, an admitted homosexual; homosexual activists' "outing" of DOD Public Affairs Spokesperson Pete Williams; and gay militants' touting of homosexuals' presence in the recent Gulf War.

What would be wrong with freely admitting homosexuals into the military community? Nothing, say homosexual activists, who assert that this would be no different from the results of President Truman's 1948 Executive Order racially integrating the services. In a recent letter to Joint Chiefs of Staff Chairman Colin Powell, Rep. Schroeder argues that opposing homosexual "integration" is closely parallel to racial bigotry during the 1950s. Homosexual lobbyists cite "homophobia" as an evil akin to racism which must be overcome at all costs. Are Schroeder and other "gay rights" proponents correct — or do other considerations apply to the question of "gays" in the military?

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Behavior Versus Ethnicity

- * As Colin Powell has aptly pointed out, there is a significant difference between racial and homosexual "integration." Powell has written: "Skin color is a benign, non-behavioral characteristic. Sexual orientation is perhaps the most profound of human behavioral characteristics. Comparison of the two is a convenient but invalid argument."
- * The military has always maintained a deep-rooted historical perspective recognizing sodomy as an unnatural, unhealthy practice which (cf. the USAF Academy Dept. of Law's publication *Law for Commanders*) "endangers the well-being of the public at large" and "violates the sense of [social] decency or morality." The Uniform Code of Military Justice (UCMJ) defines sodomy (participation in anal or oral sex with another person or carnal copulation with an animal) as a crime punishable by court martial. This Code, similar to the Georgia sodomy law upheld by the US Supreme Court in 1986 ("Bowers v. Hardwick") is the basis for current DOD policy.

Such a view does not reflect "homophobia" or any fear of homosexuals. Instead, this view reflects recognition that homosexual behavior does not constitute an acceptable, healthy and socially beneficial lifestyle.

Arguments Favoring Current DOD Policy

- * **Maintenance of Proper Military Discipline, Order and Morale.** Colin Powell has spoken of the apprehension and resentment most heterosexuals would feel if forced to occupy close quarters and showers with people who view them as potential sex objects. The military is not a private corporation, and choosing roommates and showermates is often not a military person's option.

Some argue that "closet" homosexuals are already in the military, and fraternization/harassment regulations would still be in effect to curtail such problems if "gays" were admitted. We answer, why hasn't the military mandated "unisex" bathrooms and male/female roommates as standard policy? Obviously the futility of maintaining any semblance of dignified professionalism given such an environment is a reasonable consideration "homosexual rights" advocates choose to ignore.

- * **The Question of "Security Risks."** The DOD has always recognized the possibility of homosexuals being blackmailed or otherwise disgraced because of their lifestyle. Critics dismiss this argument, sometimes citing a report showing only six of 130 spy cases involving homosexuals resulting in a single one report of blackmail. This proves, they say, that homosexuals are equally capable of handling positions of trust. (Of course, any potential for blackmail would be eliminated were the military to relax its constraints and let servicemen and women "out of the closet.")

These arguments may sound genuine, but they are spurious at best. First, the same "gay rights" advocates who make these boasts declare that 99% of homosexuals in the military go unnoticed and unannounced. (Homosexuals must lie about both their sexual orientation and practices to gain admission into the military.)

Therefore, if 99% of military homosexuals are effectively masquerading as heterosexuals, how valid can such reports' findings be? Second, as the above-cited case of Peter Williams demonstrates, homosexuals may still not "come out of the closet" even if they are immune from discharge. Williams was a civil servant, not a serviceman. His job was not in jeopardy even had he admitted practicing homosexuality. Williams kept his homosexuality a secret for other-than-employment reasons. How many homosexuals do the same despite having sympathetic employers? How many would continue to do so in the military — and be tempted to pay a high price for their secrecy?

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* **Health Risks Associated With Homosexuality.** Homosexual activists like to cite the case of Air Force Sgt. Leonard P. Matlovitch, who received a bronze star in Vietnam, but was discharged in 1975 for homosexuality. They only reluctantly mention that Matlovitch died later of AIDS.

It is well-documented that homosexuals, who represent at most (according to most recent, accurate studies) 3-4% of the nation's population, suffer upwards of 80% of America's most serious sexually transmitted diseases. Male homosexuals are 14 times more likely to have had syphilis than male heterosexuals. Lesbians are 19 times more likely to have this disease than their heterosexual counterparts. As far back as 1984, 65% of homosexual blood tested in San Francisco tested positive for the HIV infection. The US Army has estimated the costs of treating a single AIDS-infected patient from time of infection till death at about \$250,000.

The homosexual community has taken great pains to discourage public perception of AIDS as a "homosexual disease." The fact is, AIDS is a disease spread rapidly through promiscuity — and in America, homosexual levels of promiscuity are far higher than rates of sexual activity in the general population. The average homosexual male, even facing the AIDS scare, has more sexual partners (most of these anonymous) in one year than the average American has in a lifetime.

The sexual practices associated with such behavior mandate a high risk of AIDS exposure and transmission. War is, of course, a bloody business. AIDS-tainted blood splashing into cuts or abrasions has been conclusively implicated in the spread of AIDS. As Rep. William Dannemeyer has observed: "What wounded soldier in his right mind is going to allow blood to be transferred into his system from a guy who just the night before had anonymous sex encounters with other men. A better question is, what right does society have to impose that kind of risk on those asked to defend our country?"

Given the military's total responsibility for its members' health, these kinds of concerns cannot be ignored. Every AIDS sufferer in a military hospital is one less serviceperson capable of performing his/her mission, and one more who will siphon off enormous medical resources. These sheer fiscal constraints will not disappear simply because the services become "politically correct."

* **A Higher Moral and Behavioral Standard.** Throughout history, members of the US Armed Forces have consistently been held to a higher moral and behavioral standard than society at large. In 1990, when several Air Force Academy cadets were discovered performing vulgar and indecent acts in their dormitory, major national newspaper coverage resulted. How much attention would a similar incident have received if it had taken place at the University of Colorado?

Likewise, the military has consistently upheld appearance standards that go beyond duty hours. It could be (and has been) argued that these standards contribute nothing to the mission. But for the sake of public image, these standards have remained.

Although overlooked by nearly every other court in the nation, the military still punishes the act of adultery. The fact remains that American citizens rightfully expect more from America's military than from most civilian professions. Like it or not, a vast majority of American citizens, when confronted with common homosexual acts like anal penetration, seminal and fecal ingestion, anal "fisting" and "water sports" are sickened by such behavior. Should the military allow this behavior among members in the ranks merely because of the intimidation of a vociferous and bogus "minority?"

Many members of the US Armed Forces in Colorado have probably never considered the prospect of being forced to serve with homosexuals. Should homosexual activist efforts to overturn DOD policy succeed, military members who oppose homosexuality must be prepared to hold their tongues or face disciplinary procedures currently reserved for racial or gender discrimination. Furthermore, military leadership must consider the possible limitations that

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may be placed on officers regarding disciplinary actions. How will sexual orientation make itself known (and establish for certain its identity) in the military workplace? Will officers be prohibited from taking normal disciplinary actions?

Legal Considerations

- * Resolving claims of discrimination based on sexual orientation can prove costly. Should an officer be found guilty, penalties might be exorbitant. An officer eventually cleared of discrimination charges may have exhausted substantial court and attorney resources in addition to time and inconvenience.

Unlike age, gender and ethnicity, sexual orientation is not readily apparent. How will a superior know for certain if a serviceperson is homosexual? Under "gay rights" laws, sexual orientation discrimination claims have often been unfairly used by aggravated employees.

Personal and Spousal Benefits

- * According to the Journal of Certified Life Insurance Underwriters, March 1992, the estimated national cost of health insurance for AIDS cases by 1995 will be \$17 billion.
- * Life insurance mortality tables estimate that, out of a standard group of 1,000 persons aged 34 who are in good health, 7.5 will die over the next seven years from any causes. From a similar group who are infected with the AIDS virus, 200 deaths would be expected — assuming only 20% go on to develop the disease. That is a mortality rate **26 times higher** than the average. But, barring soon discovery of a cure, every HIV-infected person will eventually die of AIDS. The estimated cost of AIDS-related claims from current in-force life insurance by 1995 will be \$25 billion.

Clearly, the process of assimilating "gays" into the military would involve far more complex issues than has the integration of non-behavioral minorities. "Gays" are obviously not "just like the rest of us" except for having sex with the same gender. The services are wisely cautioned not to reduce effectiveness, add stress, add to health risks, undermine discipline or otherwise compromise the accomplishment of their mission, simply to maintain "political correctness."

(Paid for by Colorado for Family Values. Will Perkins, Executive Board Chairman, Kevin Tebedo, Director.)

